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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,537	01/04/2002	Dietrich W. Schultz	21540-05742	9387

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EXAMINER
VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
10/039,537</td><td>Applicant(s)
SCHULTZ ET AL.</td></tr>
<tr><td>Examiner
Gregory J. Vaughn</td><td>Art Unit
2178</td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 August 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8/15/05*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Application History

1.   This action is responsive to the Request for Continued Examination, filed on 8/15/2005.

2.   Applicant has amended claims 1, 2, 4, 5, 7-12, 14, 15 and 17-22.

3.   Claims 1-25 are pending in the case, claims 1, 10 and 17 are independent claims.

4.   A request for continued examination filed under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after a final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action (dated 5/18/2005) has been withdrawn pursuant to 37 CFR 1.114.

5.   Examiner's rejection of claims 1, 10, 17 and 23-25 made under 35 USC 112 in the *Claim Rejections – 35 USC 112* section of the previous office action (dated 5/18/2005) is withdrawn in view of applicant's remarks filed 8/15/2005.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in

this Office action:

> "A person shall be entitled to a patent unless –
>
> (e) The invention was described in (1) an application for patent, published
> under section 122(b), by another filed in the United States before the
> invention by the applicant for patent or (2) a patent granted on an
> application for patent by another filed in the United States before the
> invention by the applicant for patent, except that an international
> application filed under the treaty defined in section 351(a) shall have the
> effects for purposes of this subsection of an application filed in the United
> States only if the international application designated the United States
> and was published under Article 21(2) of such treaty in the English
> language."

7.   Claims 1-25 remain rejected under 35 U.S.C. 102(e) as being anticipated

by Bernardo et al. US Patent 6,684,369, filed 6/19/1998, patented 1/27/2004

(hereinafter Bernardo).

8.   **Regarding independent claim 1**, Bernardo discloses a computer-

implemented method of generating a document. Bernardo recites: *"One*

embodiment of the invention provides a tool, system and method for creating

Web sites" (column 5, lines 29-30), where Bernardo defines *"web sites"* as:

"For example, FIG. 5 depicts the feature of Web site areas. As shown in FIG.

5, the site area options may include a list of predefined site areas such as

Company Forms Area, Contact Management Area, Customer Tracking Area,

Discussion Area, Document Library Area" (column 7, lines 26-30).

Bernardo discloses a first user interface configured to specify a document template. Bernardo recites: *"A conventional editor may be used to edit HTML objects within the system. A conventional technique (e.g., a computer gateway interface (CGI)) may be used to store the edited HTML objects in the HTML database"* (column 6, lines 10-14).

Bernardo discloses in Figure 3, a second user interface (see reference sign 4, shown as *"Identify Interface"*), which is configured to specify a document content file (see reference sign 16, shown as *"Enter Data"*). Bernardo discloses the functionality of the second user interface as being determined by a user other than the second user. Bernardo recites: *"Another object of the invention is to provide a tool for creating a Web site where the tool comprises a library of stored templates (including fields) associated with different options/features for a Web site, the tool prompts a user of the tool to select desired options/features from a list of possible options/features. Based upon the option/features selected, the tool determines which of the stored templates (and fields) are to be used and the user is prompted to supply data to populate those fields"* (column 2, lines 49-57).

Bernardo discloses in Figure 3, combining the template and the content file to generate the document at reference sign 20 (shown as *"Populate Profile Fields with Data"*) and reference sign 22 (shown as *"Create Pages"*) and reference sign 24 (shown as *"Publish"*).

Bernardo discloses the determination of the context of the document, which identifies a location of the document and modifying the document

based upon the context. Bernardo recites: "*The help documents are preferably HTML documents created from one or more of the templates. The help documents include fields that link the document with one or more related fields of other templates to associate each help document with one or more features and/or fields. In this way, context-sensitive help can be provided*" (column 13, lines 42-48). Bernardo identifies the location of the document based upon the linking to the other associated templates, and based upon this context association, and the known address of the templates, identifies the location of the document.

9.   **Regarding dependent claim 2**, Bernardo discloses the first user interface configured to specify functionality of the second user interface. Bernardo recites: "*Another object of the invention is to provide a tool for creating a Web site where the tool comprises a library of stored templates (including fields) associated with different options/features for a Web site, the tool prompts a user of the tool to select desired options/features from a list of possible options/features. Based upon the option/features selected, the tool determines which of the stored templates (and fields) are to be used and the user is prompted to supply data to populate those fields*" (column 2, lines 49-57).

10.   **Regarding dependent claim 3**, Bernardo discloses a first server in Figure 1 at reference sign 114 (shown as "*Server*") where the template and content are stored. Bernardo further discloses a second server where the document is

stored after the template and content are combined. Bernardo recites: *"Once the approval process is complete, routing module may, at step 24, send the approved (and possibly revised) Web site/pages to server 30 for posting on a network"* (column 8, lines 24-27)

11.   **Regarding dependent claim 4**, Bernardo discloses a second user interface configured to allow a user to specify a content file related to a first document template. Bernardo discloses in Figure 3, a second user interface (see reference sign 4, shown as *"Identify Interface"*), which is used to generate document content (see reference sign 16, shown as *"Enter Data"*). Bernardo discloses the functionality of the second user interface as being determined by a user other than the second user. Bernardo recites: *"Another object of the invention is to provide a tool for creating a Web site where the tool comprises a library of stored templates (including fields) associated with different options/features for a Web site, the tool prompts a user of the tool to select desired options/features from a list of possible options/features. Based upon the option/features selected, the tool determines which of the stored templates (and fields) are to be used and the user is prompted to supply data to populate those fields"* (column 2, lines 49-57).

12.   **Regarding dependent claim 5**, Bernardo discloses a second user interface (as described above) that prevents the user from specifying content files related to a second document template. Bernardo discloses in Figure 3 at reference sign 6 (shown as *"Present Options/Features"*) features that

prevent the second user from creating content files that are not specified by the first user.

13.   **Regarding dependent claim 6**, Bernardo discloses a first user interface used to generate a document template. Bernardo recites: *"A conventional editor may be used to edit HTML objects within the system. A conventional technique (e.g., a computer gateway interface (CGI)) may be used to store the edited HTML objects in the HTML database"* (column 6, lines 10-14).

14.   **Regarding dependent claim 7**, Bernardo discloses a template that defines an editable section in Figure 13, shown as an *"approval message"* text entry area on the template shown in the figure.

15.   **Regarding dependent claim 8**, Bernardo discloses a second user interface as described above. Bernardo also discloses the template defines the functionality available through the second user interface. Bernardo recites: *"The tool further comprises a library of templates (e.g., text, fields, HTML code and formulas) that correspond to the available features and options"* (column 6, lines 34-37).

16.   **Regarding dependent claim 9**, Bernardo discloses receiving data defining the content in Figure 8, shown as the *"Text Color"* selection option.

17.   **Regarding independent claims 10 and 17**, the claims are directed toward a system and a method for the method of claim 1 and are rejected using the same rationale.

18.   **Regarding dependent claims 11 and 18**, the claims are directed toward a system and a method for the method of claim 2 and are rejected using the same rationale.

19.   **Regarding dependent claim 12**, the claim is directed toward a system for the method of claim 4, and is rejected using the same rationale.

20.   **Regarding dependent claim 13**, the claim is directed toward a system for the method of claim 6, and is rejected using the same rationale.

21.   **Regarding dependent claims 14 and 20**, the claims are directed toward a system and a method for the method of claim 7 and are rejected using the same rationale.

22.   **Regarding dependent claim 15**, the claim is directed toward a system for the method of claim 8, and is rejected using the same rationale.

23.   **Regarding dependent claim 16**, Bernardo discloses a file manager module in Figure 1A at reference sign 138 (shown as "*Workflow Module*"). Bernardo discloses storing a relationship between the template and the content file in Figure 1 at reference sign 166a (shown as "*Link*").

24.   **Regarding dependent claim 19**, the claim contains substantially the same subject matter as claims 4 and 8 combined and is rejected using the same rationale. .

25.   **Regarding dependent claim 21**, Bernardo discloses content received from a user. Bernardo recites: *"Another object of the invention is to provide a tool for creating a Web site where the tool comprises a library of stored templates (including fields) associated with different options/features for a Web site, the tool prompts a user of the tool to select desired options/features from a list of possible options/features. Based upon the option/features selected, the tool determines which of the stored templates (and fields) are to be used and the user is prompted to supply data to populate those fields"* (column 2, lines 49-57).

26.   **Regarding dependent claim 22**, the claim contains substantially the same subject matter as claim 4, and is rejected using the same rationale.

27.   **Regarding dependent claim 23**, Bernardo discloses the context as a local stage. Bernardo recites: *"the content creator may be presented with context sensitive help pages"* (column 13, lines 21-22).

28.   **Regarding dependent claims 24 and 25**, the claims are directed toward a system and a method for the method of claim 23 and are rejected using the same rationale.

Response to Arguments

29.   Applicant's arguments filed 8/15/2005 have been fully considered but they are not persuasive.

30.   **Regarding independent claim 1**, applicant argues: *"Nowhere does Bernardo disclose 'determining a context of the document which identifies a location of the document,' let alone 'modifying, responsive to the context the document'"* (page 14, third paragraph of the response filed 8/15/2005). Applicant is directed to the rejection of claim 1, as restated above. Bernardo discloses the determination of the context of the document, which identifies a location of the document and modifying the document based upon the context. Bernardo recites: *"The help documents are preferably HTML documents created from one or more of the templates. The help documents include fields that link the document with one or more related fields of other templates to associate each help document with one or more features and/or fields. In this way, context-sensitive help can be provided"* (column 13, lines 42-48). Bernardo identifies the location of the document based upon the linking to the other associated templates, and based upon this context association, and the known address of the templates, identifies the location of the document.
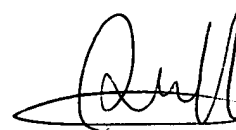
Conclusion

31.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
October 24, 2005

STEPHEN HONG
SUPERVISORY PATENT EXAMINER